

FILED
9/30/22 9:13 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: SHERI LOU CUMBERLEDGE

Debtor(s).

)
) Case No. 17-24288 -JAD
)
) Chapter 13
)
X Doc. # 131

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☐ Chapter 13 Plan dated: _____

☐ Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection

☒ Amended Chapter 13 dated:
8/29/22

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$ _____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
-
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
-

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-
- ☐ K. Additional Terms and Conditions:
-

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.L.B.R. 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 9/30/2022


United States Bankruptcy Judge
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

In re:
Sheri Lou Cumberledge
Debtor

Case No. 17-24288-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Sep 30, 2022

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2022:

Recip ID	Recipient Name and Address
db	+ Sheri Lou Cumberledge, 17 Orchard Street, P.O. Box 177, Muse, PA 15350-0177
14786698	+ AMERIHOM MORTGAGE COMPANY, LLC, CENLAR FSB, BK Department, 425 PHILLIPS BLVD., EWING NJ 08618-1430
14717391	+ Aes/northwest Savings, Po Box 61047, Harrisburg, PA 17106-1047
14717393	+ Amerihome Mortgage Co., LC, c/o Elizabeth M Bennett, Esq., 1617 JFK Blvd, Suite 1400, Philadelphia, PA 19103-1814
14717394	+ Amerihome Mtg Co, Llc, 21300 Victory Blvd Ste 2, Woodland Hills, CA 91367-2525
14717399	+ Collection Service / Wash OBGYN, 250 Mt Lebanon Blvd, Pittsburgh, PA 15234-1252
14717400	+ Collection Service Center, 839 5th Ave., P.O. Box 560, New Kensington, PA 15068-0560
14717401	+ Credit Coll USA / Dr. Brent Angott, Ccusa, 16 Distributor Dr Ste 1, Morgantown, WV 26501-7209
14717402	+ Credit Management / Tri-State Surgery, Attn: Bankruptcy, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
14717404	+ Greater Washington Radiologists, P.O. Box 951847, Cleveland, OH 44193-0020
14717408	+ Lendmark Financial, 198 West Chestnut Street, Washington, PA 15301-4423
14717409	+ Leroy's Jewelers, Sterling Jewelers, Inc/Attn: Bankruptcy, Po Box 1799, Akron, OH 44309-1799
14717411	+ State Collection Service / Allegheny Hea, 2509 S. Stoughton Road, Madison, WI 53716-3314
14717415	+ Washington Health System, 155 Wilson Ave., Washington, PA 15301-3398

TOTAL: 14

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/PDF: resurgentbknofications@resurgent.com	Oct 01 2022 00:00:07	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14717390	+ Email/Text: bncnotifications@phea.org	Sep 30 2022 23:53:00	Aes/m&taselt, Pob 61047, Harrisburg, PA 17106-1047
14717392	+ Email/Text: bncnotifications@phea.org	Sep 30 2022 23:53:00	Aes/pheafrn, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
14717395	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 01 2022 00:00:06	Capital One, Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253
14717396	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 30 2022 23:59:58	Cbusasears, Citicorp Credit Svcs/Centralized Bankrup, Po Box 790040, Saint Louis, MO 63179-0040
14717398	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 01 2022 00:00:03	Citibank/The Home Depot, Citicorp Cr Svcs/Centralized Bankruptcy, Po Box 790040, S Louis, MO 63179-0040
14717413	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 30 2022 23:59:58	Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040
14756838	Email/Text: bnc-quantum@quantum3group.com	Sep 30 2022 23:53:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
14717403	+ Email/Text: electronicbkydocs@nelnet.net	Sep 30 2022 23:53:00	Dept Of Ed/582/nelnet, Attn: Claims/Bankruptcy, Po Box 82505, Lincoln, NE 68501-2505
14900304	Email/Text: ECMCBKNotices@ecmc.org	Sep 30 2022 23:53:00	Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408

District/off: 0315-2

User: auto

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Date Rcvd: Sep 30, 2022

Form ID: pdf900

Total Noticed: 41

14717405	Email/Text: sbse.cio.bnc.mail@irs.gov	Sep 30 2022 23:53:00	Internal Revenue Service, 1000 Liberty Avenue, Pittsburgh, PA 15222
14717406	+ Email/PDF: gecsedl@recoverycorp.com	Oct 01 2022 00:00:03	JC Penneys, P.O. Box 965007, Orlando, FL 32896-5007
14717397	Email/PDF: ais.chase.ebn@aisinfo.com	Oct 01 2022 00:00:05	Chase Auto Finance, National Bankruptcy Dept, 201 N Central Ave Ms Az1-1191, Phoenix, AZ 85004
14787272	Email/PDF: ais.chase.ebn@aisinfo.com	Sep 30 2022 23:59:56	JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 901032, Ft. Worth TX 76101-2032
14717407	Email/Text: ktramble@lendmarkfinancial.com	Sep 30 2022 23:53:00	Lendmark Financial, 2118 Usher St Nw, Covington, GA 30014
14784267	Email/PDF: resurgentbknofications@resurgent.com	Sep 30 2022 23:59:57	LVNV Funding, LLC its successors and assigns as, assignee of Monogram Credit Card Bank, of Georgia, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14940547	+ Email/PDF: ais.midfirst.ebn@aisinfo.com	Oct 01 2022 00:00:01	MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110, Oklahoma City, OK 73118-6051
14717410	+ Email/Text: electronicbkydocs@nelnet.net	Sep 30 2022 23:53:00	Nelnet, Nelnet Claims/Bankruptcy, Po Box 82505, Lincoln, NE 68501-2505
14724691	+ Email/Text: bncnotifications@pheaa.org	Sep 30 2022 23:53:00	Nelnet on behalf of PHEAA, PA Higher Education Assistance Agency, PO Box 8147, Harrisburg, PA. 17105-8147
14725934	+ Email/Text: bncnotifications@pheaa.org	Sep 30 2022 23:53:00	PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
14735047	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 01 2022 00:00:08	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14718286	+ Email/PDF: rmscedi@recoverycorp.com	Sep 30 2022 23:59:57	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14786438	+ Email/Text: bncmail@w-legal.com	Sep 30 2022 23:53:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14717412	+ Email/Text: bncmail@w-legal.com	Sep 30 2022 23:53:00	Target, C/O Financial & Retail Srvs, Mailstopn BT POB 9475, Minneapolis, MN 55440-9475
14726268	+ Email/Text: electronicbkydocs@nelnet.net	Sep 30 2022 23:53:00	US Department of Education c/o Nelnet, 121 South 13th Street, Suite 201, Lincoln NE 68508-1911
14749349	Email/PDF: ebn_ais@aisinfo.com	Oct 01 2022 00:00:07	Verizon, by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
14717414	+ Email/PDF: gecsedl@recoverycorp.com	Oct 01 2022 00:00:07	Walmart / Synch, P.O. Box 530927, Atlanta, GA 30353-0927
TOTAL: 27			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Amerihome Mortgage Company, LLC
cr		Cenlar FSB as servicer for AmeriHome Mortgage Comp
cr		JPMORGAN CHASE BANK, N.A.
cr		MidFirst Bank
cr		Midland Mortgage as servicer for MIDFIRST BANK
cr	*	Educational Credit Management Corporation, PO Box 16408, St. Paul, MN 55116-0408

District/off: 0315-2

User: auto

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cr *+ PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 5 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 02, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Amerihome Mortgage Company LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Midland Mortgage as servicer for MIDFIRST BANK bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor MidFirst Bank bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Cenlar FSB as servicer for AmeriHome Mortgage Company LLC bnicholas@kmlawgroup.com
David A. Rice	on behalf of Debtor Sheri Lou Cumberledge ricelaw1@verizon.net lowdenscott@gmail.com
Jerome B. Blank	on behalf of Creditor Amerihome Mortgage Company LLC pawb@fedphe.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Scott R. Lowden	on behalf of Debtor Sheri Lou Cumberledge niclowlgl@comcast.net
Stephen Russell Franks	on behalf of Creditor JPMORGAN CHASE BANK N.A. amps@manleydeas.com
Thomas Song	on behalf of Creditor Amerihome Mortgage Company LLC pawb@fedphe.com

TOTAL: 11